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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,

vs.

OMAR QAZI,

Defendant.

Case No. 2:15-cr-00014-APG-VCF

ORDER

AMENDED WITNESS LIST (ECF No. 395)

Before the Court is Defendant Omar Qazi's Amended Witness List. (EC No. 374). Within the document, Qazi "requests the court to appoint a different private investigator for a fair opportunity to locate, and procure attendance of...witnesses." (*Id.* at 2).

Qazi's request is procedurally improper. "A party applying to the court for an order must do so by motion." Fed. R. Crim. P. 47(a). Qazi must make his request in a motion rather than within an amended witness list. Even were the Court to construe Qazi's request as a motion, Qazi fails to make any showing that a new investigator is necessary. *See Williams v. Stewart*, 441 F.3d 1030, 1053-54 (9th Cir. 2006), *amended*, No. 01-99015, 2006 WL 997605 (9th Cir. Apr. 18, 2006). While Qazi states that he has been unable to locate potential witnesses (ECF No. 274 at 2), he does not detail how the current private investigator's efforts towards locating the witnesses have been inadequate.

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1 ACCORDINGLY, and for good cause shown,

2 IT IS ORDERED that Qazi's request for a different private investigator (ECF No. 395) is DENIED
3 WITHOUT PREJUDICE.

4 IT IS SO ORDERED.

5 DATED this 31st day of January, 2018.

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CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE